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# Indiana Law Annotated

Vol. 18 No. 7  
February 21, 2000

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## NOTED BIOTECHNOLOGY AND INTELLECTUAL PROPERTY EXPERT TO JOIN FACULTY

Dr. Yvonne Cripps, currently on the faculty at University of Cambridge in England, will join the Law School faculty next spring. Dr. Cripps is an internationally-acclaimed scholar and teacher whose book, *Controlling Technology: Genetic Engineering and the Law* (New York 1980), was the first comprehensive treatment of the legal implications of biotechnology. Dr. Cripps has written another book, *The Legal Implications of Disclosure in the Public Interest* (Oxford 1987), now in its second edition, and over forty articles on intellectual property, privacy law, and biotechnology.

Dr. Cripps received her LL.B with First Class Honors from Victoria University of Wellington, and her LL.M with distinction from that institution. She took her Ph.D at University of Cambridge. She is a barrister in both England and New Zealand, and has taught as a visitor at the Cornell Law School every year since 1989. She has also served twice as a visiting professor of law at University of Texas School of Law. She has won numerous prizes for her work, and has served as an advisory on intellectual property law to the House of Lords, on biotechnology issues to the New Zealand Government, and as a consultant on intellectual property law to Denton, Hall, Burgin & Warren. She has served as a member of the Editorial Board of the Indiana Journal of Global Legal Studies since 1994, and on the Editorial Board of the Botechnology Law Report from 1983-1994)

## GLOBALIZATION OF BASEBALL SYMPOSIUM FRIDAY AND SATURDAY

### BASEBALL IN THE GLOBAL ERA: ECONOMIC, LEGAL, AND CULTURAL PERSPECTIVES

The IU School of Law Bloomington is hosting the Symposium *Baseball in the Global Era: Economic, Legal, and Cultural Perspectives* on Feb. 25-26. With Major League Baseball increasingly seeking players and fans outside the United States, the American pastime has taken

on a global flavor. The Symposium will create a forum in which people interested in baseball and globalization can share analysis and ideas about the economic, legal, cultural, and other aspects of this on-going change in professional baseball in the United States and overseas. Baseball will serve as the lens through which various aspects of globalization will be analyzed.

The Symposium will have three panels: (1) The Global Business and Economics of Baseball; (2) Legal Aspects of the Globalization of Baseball; and (3) The Globalization of Baseball and Culture. Panel participants come from diverse disciplines, including anthropology, baseball labor activities, history, journalism, law, political science, and public administration. The Symposium will feature a talk by Donald M. Fehr, Executive Director of the Major League Baseball Players Association, and a keynote lecture by Roberto Gonz lez Echevarrja, Sterling Professor of Hispanic and Comparative Literature at Yale University and author of the recently published *The Pride of Havana: A History of Cuban Baseball* (Oxford University Press, 1999).

If you have any questions about the symposium or would like to attend please contact Professor David Fidler. All events will take place in Conference Room 335, Third Floor. The schedule is as follows:

#### **PARTICIPANTS OF THE SYMPOSIUM**

**Robert Berry, Professor of Law, Boston College Law School** has written numerous articles and books on sports and entertainment law. He is currently at work on *Law and Business of the Entertainment Industries* (4th ed.). He consults for the Boston Red Sox on baseball salary arbitrations and with Impact Sports Management and Marketing, a sports agency, on contract negotiations. Professor Berry has also been involved in efforts to establish a new baseball league in the People's Republic of China.

**Roberto Gonz lez Echevarrja, Sterling Professor of Hispanic and Comparative Literature, Yale University**, was born in Sagua la Grande, Cuba in 1943. He received his B.A. from the University of South Florida (1964), M.A. from Indiana University (1966), and M.Ph. (1968) and Ph.D. (1970) from Yale University. He taught at Cornell from 1971 to 1977, and has been a faculty member at Yale University since 1977. At Yale, he was awarded the first endowed chair ever in Spanish Literature (R. Selden Rose Chair). Subsequently, he was named Bass Professor of Hispanic and Comparative Literatures, and then in 1995 the Sterling Professor, the most prestigious endowed chair at Yale University. Professor Echevarrja is interested primarily in Spanish, Latin American, French, and Italian literatures, but he has also been active in critical theory. He has been the recipient of a Guggenheim Fellowship and a Senior NEH Fellowship. In 1999, he was inducted into the American Academy of Arts and Sciences, the oldest and most prestigious honorary society in the United States. He has written, edited, and co-editor many books, and he is the author of over one hundred articles and reviews in American, Latin American, and European journals. In 1999, Professor Echevarrja published *The Pride of Havana: A History of Cuban Baseball* (Oxford University Press). A former semi-pro catcher, he now plays for the Madison Ravens of the Connecticut Senior Baseball League.

**Donald M. Fehr, Executive Director and General Counsel, Major League Baseball Players Association**, joined the MLBPA as General Counsel in Aug. 1977, and named Executive Director in Dec. 1985, having previously served as Acting Executive Director. Prior to joining

the MLBPA, Mr. Fehr was associated with the Kansas City law firm of Jolley, Moran, Walsh, Hager & Gordon, where he worked on the landmark Messersmith-McNally free agency case on behalf of the MLBPA. As Executive Director and General Counsel, Mr. Fehr serves as the players' chief negotiator in collective bargaining with Major League Baseball owners and has general responsibility for the other aspects of the MLBPA's activities, including contract administration, grievance arbitration, and pension and health care matters. In 1990, he successfully negotiated the \$280 million settlement of the free agency collusion cases.

For the last three years, Mr. Fehr has been named by *Baseball America* as the most powerful person in baseball, and he has been regularly selected by the *Sporting News* as one of the top 100 most powerful individuals in sports. Mr. Fehr also serves as a Public Sector Director of the U.S. Olympic Committee. Mr. Fehr is a graduate of Indiana University (B.A., Government, 1970) and the University of Missouri-Kansas City School of Law (J.D. with Distinction, 1973).

**William B. Gould IV, Charles A. Beardsley Professor of Law, Stanford Law School**, is one of the United States' leading experts on labor law. From 1994-1998, he was the Chairman of the National Labor Relations Board. Professor Gould's principal teaching interests are labor law, comparative labor law, employment discrimination law, and sports law. He has been on the faculty at Stanford Law School since 1972, and he has been the Charles A. Beardsley Professor since 1984. He has been a visiting faculty member at Harvard, Howard, and Boston Universities. In 1991, he was a Fulbright Lecturer at the University of Witwatersrand in South Africa. He has been involved in labor issues concerning Major League Baseball for many years. He is finishing a book analyzing his time as Chairman of the National Labor Relations Board, and is planning to write a book called *The Life and Times of William Benjamin Gould*, his great-grandfather who escaped slavery and served in the United States Navy during the Civil War.

**Samuel R. Hill, Blake, Cassels & Graydon, in Toronto Canada**, is a Sports Consultant and coordinator of Blakes' Sports Group. From 1992 until joining Blakes in 1998, Mr. Hill practiced with Proskauer Rose LLP in New York as a member of Proskauer's renowned sports group.

His practice focuses on all aspects of the sports business, including litigation and labor matters, and ongoing business issues for sports clients in connection with, among other things, player contracts, league and player handbooks, corporate by-laws, and league and team policies and procedures. Mr. Hill has written and spoken on various sports law issues.

He is a member of the New York State Bar, the Business Law Section of the American Bar Association and the ABA's Forum on the Entertainment and Sports Industries. He was admitted to the New York Bar in 1991, graduated *magna cum laude* from Vermont Law School in 1990, and with a B.PHE from the University of Toronto in 1987.

**Masaru Ikei, Department of Law and Political Science, Keio University**, is an expert in the diplomatic history of modern Japan. He received his B.A., M.A., and Ph.D. from Keio University, and he has been on the Keio faculty since 1967. He has been a visiting professor at Columbia University, University of Michigan, George Washington University, and Nanking University. In addition to his expertise in Japanese diplomatic history, Professor Ikei is an expert on U.S.-Japanese baseball relations. He has published *Baseball Across the Pacific--A History of*

*U.S.-Japanese Baseball Relations* (Chuokoron Co., 1976), *An Invitation to American Baseball--From Sandlot to the Majors* (Heibonsha Co., 1977), *Baseball and the Japanese* (Maruzen Co., 1992), and "Nomo's Heroics and Japan-U.S. Relations," *Japan Echo*, Winter 1995

**Leonard Koppett, Sports Journalist, in Palo Alto, California**, has been a sports writer since the 1940s with newspapers in New York City, the San Francisco Bay Area, and for *The Sporting News*. He is the author of half a dozen books on baseball, including his latest baseball book *Koppett's Concise History of Major League Baseball* (Temple University Press, 1998). Mr. Koppett has also written and published extensively on professional basketball, including his recently published *24 Seconds to Shoot: The Birth and Improbable Rise of the National Basketball Association* (Total Sports, 1999). He has been the winner of the J. G. Taylor Spink Award from the Baseball Writers' Association of America. Mr. Koppett is the only sportswriter named to the writers' wing of both the baseball and basketball Halls of Fame. He also co-teaches Sports Law at Stanford Law School with William B. Gould IV.

**Samuel O. Regalado, Professor, Department of History, California State University Stanislaus**, specializes in U.S. history, with emphasis on ethnic and immigration issues, and sports history. He has published numerous articles on Latinos in professional baseball in the United States and sport during the Japanese American Nisei era. In 1994, he was a Smithsonian Faculty Fellow.

Professor Regalado is author of the widely regarded *Viva Baseball! Latin Major Leaguers and Their Special Hunger* (University of Illinois Press, 1998).

**Mark S. Rosentraub, Professor and Associate Dean, School of Public and Environmental Affairs, IUPUI**, focuses his research and teaching interests on the management of urban economic development, the economic impacts of sports, recreation, and tourism on urban areas, the financing, organization, and delivery of urban services, and economic development issues. His work includes studies of the relationship between sports, economic development, and the public sector; the role of nonprofit organizations in urban service delivery; the co-production of urban services; and the impact of government subsidies and public-private partnerships on local economies, taxes, and development. Professor Rosentraub's book, *Major League Losers: The Real Costs of Sports And Who's Paying For It* was published by Basic Books in January 1997. Professor Rosentraub's sports-related and economic development research has been published in *Economic Development Quarterly*, *Journal of Sports and Social Issues*, *Journal of Urban Affairs*, and other edited collections. Professor Rosentraub's other research publications include more than 60 articles (and book chapters) which have appeared in *Urban Affairs Review*, *Journal of the American Planning Association*, *Economic Development Quarterly*, *Nonprofit and Voluntary Sector Quarterly*, *Social Science Journal*, *Policy Studies Review*, *Policy Studies Journal*, *Public Productivity Review*, *Journal of Environmental Systems*, *State and Local Government Review*, as well as, several other journals and numerous collections.

**David Swindell, Assistant Professor of Political Science and Director, Masters of Public Administration Program, Department of Political Science, Clemson University**, focuses his research and teaching interests on the effects of public sector investments in sports facilities on local economic development, citizen participation, alternative urban service delivery systems, and decision methods. His research focuses on citizen preferences of public financing for sports

facilities, the contribution of sports facilities to the economic development of urban space, citizen satisfaction and performance measurement standards for public management and decision making, and the role of neighborhood organizations as a mechanism for service delivery. His sports-related research has been published in *Public Administration Review*, *Economic Development Quarterly*, *Journal of Urban Affairs*, *Johnson's Minor League Baseball and Local Economic Development*, and Roger Noll & Andrew Zimbalist's *Sports, Jobs, and Taxes*. Several policy pieces by Professor Swindell on sports and public financing of facilities are also available from the Buckeye Institute for Public Policy Solutions, Dayton, Ohio.

Professor Swindell's other sport-related activities have included working with local communities to understand the implications of such public investments, as well as testimony to the State of Ohio Senate on the economic effects of such investments. Professor Swindell received his doctorate from Indiana University and his undergraduate education from the University of Texas at Arlington. Before joining Clemson University, Professor Swindell was with Wright State University in Dayton, Ohio where he served as assistant professor in the Department of Urban Affairs and research associate in the Center for Urban and Public Affairs.

**Angel Vargas, President**, *Venezuelan Baseball Players Association and General Secretary of the Caribbean Baseball Players Confederation (CONPEPROCA)*, is a former professional baseball player who began working with the Venezuelan Baseball Players Association in 1988. Since 1996, he has been President of this Association.

Currently, Mr. Vargas is also the General Secretary of the Caribbean Baseball Players Confederation (CONPEPROCA), which represents professional baseball players from the Dominican Republic, Puerto Rico, and Venezuela.

## **NEWS FROM STUDENT ORGANIZATIONS**

### **FEDERALIST SOCIETY TO HOST PROFESSOR CONKLE AT THE IRISH LION ON THURSDAY**

The Federalist Society is hosting a talk by our own Professor Conkle entitled "Religion, the First Amendment, and the 1999-2000 Supreme Court Term," on Thursday, Feb. 24 at 7:00 p.m. at the Irish Lion.

Professor Conkle will talk about developments during the last year from the Supreme Court in First Amendment jurisprudence as it pertains to religion. This is a great opportunity to hear from a noted scholar on law and religion outside the confines of the law school. Enrich your palate and mind in one sitting.

### **POETRY READING THURSDAY**

For all of you poetry readers or writers, come and recite or listen to poetry at BLSA's first ever poetry reading on Wednesday, Feb. 23 in the Faculty Lounge at 6:00 p.m. Starbucks will be providing coffee. Anyone who writes poetry and wants to be added to the list of readers, please let Kareem Howell (kahowell) know by Feb. 21.

## **BARRISTER'S BALL TICKETS ON SALE NOW!!!**

Come and dance the night away at BLSA's Barrister's Ball this Saturday,

Feb. 26, at Terry's Banquet and Catering Services. This semi-formal

event is the law school's only dance during the year. It will give the

ladies a chance to show their beauty in elegant evening dresses, and the

guys can show their style in their Moot Court suits. Joke!

Tickets are on sale UNTIL WEDNESDAY, Feb. 23rd, so get your tickets now. They will not be sold at the door. Tickets are \$22 per person and \$40 per couple. The price includes a sit-down dinner, served at 7:30 p.m. The night ends at Midnight. DON'T MISS THIS EVENT! YOU'LL

REGRET IT FOR A YEAR!!

## **SINGING FOR SUMMER SALARIES**

The Public Interest Law Forum would like to thank everyone for attending and being a part of our Singing for Summer Salaries event held last Tuesday. It was a great success!

Professor Leaffer entertained us in costume (complete with purple hat and feather boa) with his rendition of Abba's hit song Dancing Queen. We raised approximately \$1,500.

All donations will be matched by the school and the funds go directly to our summer fellowship fund for persons in public interest jobs. Thank you all for making this event such a success!!

## **ANNOUNCEMENTS**

### **OPPORTUNITY FOR SEMESTER OF GERMAN STUDY**

Students who are reasonably fluent in German who would like to spend a semester studying at the University of Jena or the University of Erlangen should see Professor Dworkin as soon as possible. This is a wonderful opportunity to gain exposure to a different culture and legal system.

### **EVENTS CALENDAR / ROOM SCHEDULING**

To schedule classrooms in the law building, send email to bl-law-events (for Outlook users) or bl-events-law@exchange.indiana.edu (for non-Outlook users). Please include date and time of event, length of time room will be needed, classroom requested and number of people attending event. Requests should be sent at least one week prior to event and include name of person requesting, organization planning the event and an email address. Confirmations will be sent by reply email.

### **AUDIO - VIDEO SERVICES**

Requests for AV services may be sent to Beth at av@exchange.indiana.edu. Please include the name of your group and the e-mail address of the contact person, a description of what you want

to do, and the date, location, starting time and duration of the event. Requests must be made at least 48 hours in advance and will be confirmed by email.

## **CALENDAR**

Monday, Feb. 21, PILF meeting, Room 124, Noon.

Wednesday, Feb. 23, BLSA Poetry Reading, Faculty Lounge, 6:00 p.m.

Thursday, Feb. 24, Professor Conkle's talk on Religion and the First

Amendment, Irish Lion, 7:00 p.m.

Saturday, Feb. 26, Barrister's Ball, Terry's Banquet Hall, 7:30 p.m.

**Updated:** 18 February 2000